

Nays—9.

Bailey.	Ridgeway.
Burkett.	Strong.
Cousins.	Wirtz.
Holbrook.	Woods.
Pollard.	

Present—Not Voting.

Darwin.	Stuart.
Floyd.	

Absent.

Bledsoe.

Absent—Excused.

Bowers.	Parr.
Fairchild.	Watts.

Accordingly, the Senate at 3:25 p. m. adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.**Petitions and Memorials.**

Senator Bailey offered a petition, signed by numerous citizens and tax payers of Yoakum, Texas, asking that no further increase of taxes of any kind be imposed by the Legislature and that the appropriations be reduced so as to come within the present revenues of the State.

Committee Report.

Senate Chamber,
Austin, Texas, May 28, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 15 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

EIGHTH DAY.

Senate Chamber,
Austin, Texas,
Tuesday, May 29, 1923.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	McMillin.
Baugh.	Rice.
Bledsoe.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Lewis.	Woods.

Absent.

Murphy.

Absent—Excused.

Bowers.	Pollard.
Fairchild.	Watts.
Parr.	

Prayer by Rev. E. R. Barcus, of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Doyle.

(See Appendix for committee reports, petitions and memorials.)

Excused.

Senator Pollard for today, on account of important business, on motion of Senator Wirtz.

Additional Employees.

The Chair announced the appointment of Harry Barnhart as page, and Henry Canady as porter, in the place of others that have resigned.

Motion to Print.

A communication from the legislative representative of the Farm Labor Union was read.

Senator Darwin moved that the communication be printed in the Journal, and the motion was lost.

S. B. No. 11 on Third Reading.

The Chair laid before the Senate as regular order, on its third reading and final passage,

S. B. No. 11, A bill to be entitled "An Act making appropriations for the Department of Banking and for

the Department of Insurance and Banking for two years beginning September 1, 1923, and ending August 31, 1925, repealing all appropriations made for the Department of Insurance and Banking as set forth in S. B. No. 32, passed by the Second Called Session of the Thirty-eighth Legislature, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—18.

Bailey.	Lewis.
Baugh.	Murphy.
Bledsoe.	Ridgeway.
Clark.	Rogers.
Cousins.	Thomas.
Darwin.	Turner.
Davis.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.

Nays—6.

Burkett.	Rice.
Doyle.	Strong.
McMillin.	Woods.

Absent.

Stuart.

Absent—Excused.

Bowers.	Pollard.
Fairchild.	Watts.
Parr.	

S. B. No. 14—Laid on Table Subject to Call.

On motion of Senator Clark, S. B. No. 14 was laid on the table subject to call.

H. B. No. 10 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

H. B. No. 10, A bill to be entitled "An Act levying an occupation tax upon the right and privilege of producing oil in this State by taxing same from the earth; defining the words 'person,' 'market value' and 'oil'; levying such tax against those engaged in such production; requiring reports to be made in order to ascertain the amount of said tax due the State; prescribing penalties for failure to comply with the Act requiring reports to be made and requiring

said tax to be paid within a certain time; making necessary provision for carrying into effect the Act and accomplishing its purpose; amending Article 7383, Chapter 2, of Title 126 of the Revised Civil Statutes of 1911, as amended; providing that Articles 7386 and 7387, Revised Civil Statutes, shall not apply to those affected by this Act, and declaring an emergency."

The bill was read second time.

On motion of Senator Wood, by unanimous consent, the bill was laid on the table subject to call.

H. B. No. 18 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

H. B. No. 18, A bill to be entitled "An Act vesting the authority in the Tax Commissioner of this State to collect all delinquent occupation tax as provided for in Article 7355, in Subdivisions 1 to 40, inclusive, and all delinquent franchise taxes provided for in Article 7393 and Article 7394, Acts of 1919, and all delinquent inheritance taxes due and unpaid as provided for in Chapter 10, Articles 7487 down to and including Article 7502, and all insolvent taxes and moneys due the State by escheated estates as provided for in Title 51, Articles 3186 down to and including Article 3205, and from all sources excepting ad valorem taxes due on real estate, and to amend Article 7490, Chapter 164, Acts of the Thirty-sixth Legislature, and to amend Article 7491, Chapter 164, Acts of the Thirty-sixth Legislature, and providing that the Tax Commissioner is hereby vested with the authority to contract with any persons, firms or co-partnerships to collect the delinquent taxes now due the State of Texas or to become due the State of Texas, who shall be designated as delinquent tax collectors, and whose district shall be composed of two congressional districts; providing commission to be paid and authorizing commissioners courts, commissioners of city boards of aldermen or trustees of independent school districts to contract with said delinquent tax collectors upon such basis as they may desire to, and providing that all funds shall be

deposited in the State Treasury for the general revenue of Texas, except contracts made by counties, cities or school districts, which shall be passed into the treasury of their respective governments."

The bill was read second time.

Senator Floyd moved that the committee report carrying the following amendment be adopted:

"Amend the bill by striking out the engrossed rider of Senate."

The committee report was adopted.

Senator Thomas offered the following amendment to the bill:

Amend H. B. No. 18, page 45, of the Senate Journal, first paragraph thereof, by substituting therefor the following: "In cities and towns of 1,000 population, and less than 15,000 population, one and one-half per cent of said gross receipts."

Senator Floyd moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—12.

Bailey.	Lewis.
Baugh.	Rogers.
Bledsoe.	Turner.
Clark.	Witt.
Doyle.	Wood.
Floyd.	Woods.

Nays—13.

The Chair.	Rice.
Burkett.	Ridgeway.
Darwin.	Strong.
Davis.	Stuart.
Holbrook.	Thomas.
McMillin.	Wirtz.
Murphy.	

Absent.

Cousins.

Absent—Excused.

Bowers.	Pollard.
Fairchild.	Watts.
Parr.	

Question then recurred on the amendment.

Yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—11.

Burkett.	McMillin.
Darwin.	Murphy.
Holbrook.	Rice.

Ridgeway.
Strong.
Stuart.

Thomas.
Wirtz.

Nays—13.

Bailey.	Lewis.
Baugh.	Rogers.
Bledsoe.	Turner.
Clark.	Witt.
Davis.	Wood.
Doyle.	Woods.
Floyd.	

Absent.

Cousins.

Absent—Excused.

Bowers.	Pollard.
Fairchild.	Watts.
Parr.	

Senator Rice offered the following amendment to the bill:

Amend H. B. No. 18 by adding after the word "exchange" and before Section 1, a new Section, 1a, as follows:

"Section 1a. Providing further that ten per cent shall be paid under the provisions of this bill for all report service charges."

Question: Shall the amendment be adopted?

H. C. R. No. 6.

The Chair laid before the Senate H. C. R. No. 6, relating to teaching "Darwinian theory in the public schools."

The resolution was read.

Senator Rogers moved to refer the resolution to the Committee on Federal Relations.

On motion of Senator Bailey, the resolution was referred to the Committee on Educational Affairs.

Resignation From Committee.

Senator Burkett tendered his resignation as a member of the special committee appointed under the provisions of H. C. R. No. 9, passed at the Second Called Session of the Thirty-eighth Legislature, on account of other business matters demanding his attention.

Recess.

On motion of Senator Clark, the Senate at 12:01 p. m. recessed until 3 p. m. today.

Afternoon Session.

The Senate met at 3 p. m., and was called to order by Lieutenant Governor T. W. Davidson.

H. B. No. 18 on Passage to Third Reading.

The Chair laid before the Senate as pending business, on its passage to third reading, H. B. No. 18, levying an occupation tax on the gross receipts of telephone companies, with amendment by Senator Rice pending, the bill having been under consideration at the time the Senate recessed this morning.

Senator Clark moved the previous question on the consideration of the amendment and the passage of the bill to third reading, and the main question was ordered.

Question first recurring on the amendment, yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—11.

Bledsoe.	Ridgeway.
Burkett.	Strong.
Holbrook.	Thomas.
McMillin.	Wirtz.
Murphy.	Wood.
Rice.	

Nays—10.

Bailey.	Floyd.
Baugh.	Lewis.
Clark.	Rogers.
Darwin.	Turner.
Davis.	Woods.

Absent.

Cousins.	Watts.
Doyle.	Witt.
Stuart.	

Absent—Excused.

Bowers.	Parr.
Fairchild.	Pollard.

Question then recurred on the passage of the bill to third reading.

Yeas and nays were demanded, and the bill was passed to third reading by the following vote:

Yeas—11.

Bailey.	Darwin.
Baugh.	Floyd.
Clark.	Lewis.

McMillin.
Rice.
Rogers.

Turner.
Wood.

Nays—10.

Bledsoe.	Ridgeway.
Burkett.	Strong.
Davis.	Thomas.
Holbrook.	Wirtz.
Murphy.	Woods.

Present—Not Voting.

Cousins.

Absent.

Doyle.	Watts.
Stuart.	Witt.

Absent—Excused.

Bowers.	Parr.
Fairchild.	Pollard.

H. B. No. 41 on Second Reading.

The Chair laid before the Senate on its second reading and passage to third reading,

H. B. No. 41, A bill to be entitled "An Act prescribing the method of the county tax collector making remittances to the State Treasurer or any other State officer, board, commission or employee of the State, and prohibiting the payment of exchange on any such remittances; providing that liability shall not cease until actual receipt of money; and declaring an emergency."

The bill was read second time and passed to third reading.

S. R. No. 15.

By Senator Murphy:

Whereas, The Hon. Lynch Davidson, a former distinguished member of the Senate, and former Lieutenant Governor, is in the city;

Resolved, That he be requested to address the Senate.

The resolution was read and adopted.

The Chair appointed Senators Murphy, Doyle and Ridgeway as a committee to escort Mr. Davidson to the President's stand.

Being presented by Senator Doyle, Mr. Davidson addressed the Senate.

H. B. No. 1—Ordered Printed.

On motion of Senator Clark, H. B. No. 1, reported adversely with a favorable minority report, was ordered printed in the Journal.

Joint Committee Report.

By Senator Woods:

Committee Room,

Austin, Texas, May 29, 1923.

Hon. T. W. Davidson, Lieutenant Governor, President of the Senate.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sirs: We, your joint committee from both Houses of the Thirty-eighth Legislature, appointed under and by authority of S. C. R. No. 3, to recommend a method of eliminating the difference between the appropriations as made by the Thirty-eighth Legislature and the available revenue for the next biennium, beg leave to report that a majority of the committee from both the House and Senate have agreed upon a plan which is stated as follows:

1. We recommend that the appropriations as passed at the Second Called Session appropriating \$6,000,000.00 to supplement the available fund to be cut to \$4,000,000.00, one-half of which is to be available the first year and the other one-half to be available the second year.

2. We recommend that the rural school appropriation bill be cut from \$3,000,000.00 to \$2,500,000.00—\$1,500,000.00 to be available the first year and \$1,000,000.00 the second year.

3. We recommend that the educational appropriation bill be cut \$1,000,000.00 for the biennium.

4. We recommend that the appropriation of \$600,000.00 for hydrographic and topographic surveys be cut to \$300,000.00.

5. We recommend the passage of the gross production tax on oil at $2\frac{1}{4}\%$.

6. We recommend the passage of a bill placing a 2% gross tax on timber.

We desire to call your attention to the fact that one-fourth of all occupation taxes and gross receipts taxes goes into the available school fund; the amount to be derived from the bills that have been already

passed and herein recommended in this report will produce more than \$2,000,000.00 for the available school fund, and is the reason why we recommend the reducing of this appropriation.

We recommend that the Governor approve, with such alterations as he desires to make, the following bills:

The judiciary appropriation bill, the eleemosynary appropriation bill, the departmental appropriation bill, the emergency appropriation bill, the miscellaneous appropriation bill, and such other appropriation bills as were passed by the Second Called Session of the Thirty-eighth Legislature, which have not been approved.

In recommending that the Governor approve the appropriation bills, we except the bills which are proposed to be reduced by this report, and recommend that these bills be vetoed by the Governor at once.

WOOD,
DAVIS,
RIDGEWAY,
CLARK,

On the part of the Senate.

QUAID,
SATTERWHITE,
BELL,
WALLACE,

On the part of the House.

Invitation to Memorial Services.

Travis Post No. 76,
American Legion.

Austin, Texas,

Tuesday, May 29, 1923.

To the Hon. T. W. Davidson, President, and Members of the Senate of the Thirty-eighth Legislature, Senate Chamber.

Gentlemen: May the 30th of every year has been set apart throughout the length and breadth of the United States as

"MEMORIAL DAY,"

in order that we may pay tribute to the memory of our brave soldiers and sailors and to all our country's honored dead.

It is on this date that the American Legion looks forward to with unusual pride, love and affection, and with gratitude in their hearts, that they may on this day assemble and pay a tribute to their "Buddie" who fought and died with them in the

defense of Democracy. Their place in history is as secure as the Constitution of our beloved country. They unsheathed their swords in humanity's name, never thinking of self or danger. Upon the land, the seas and above the clouds, and around the world, they carried the Stars and Stripes unstained.

They placed a wreath of flowers the other day—the first in forty years—on the grave of John Howard Payne and made an occasion of the singing of that gifted wanderer's immortal "Home, Sweet Home" on the one hundredth anniversary of its first rendition. The day that witnesses these events promises to take a special place on the calendar for an observance in the future. Another May day of remembrance was Mothers' Day, and the month bloomed into fragrant June with the fragrant thought that is expressed in Memorial Day.

Mother, Home, and the Nation's Dead. What touches us nearer than these? Mothers' Day is a new observance comparatively. It took us a hundred years to get around to pay a formal tribute to the greatest song of "Home" ever written. Memorial Day is not old. Not until after the Civil War was there a stated date on which to honor those who have marched to their country's defense, but will never march again. Why so late, this homage to things always so close and dear? Has human nature changed? Is it changing? Or are certain sublime fancies of the heart merely being released from the solitary confinement of a thousand years? (This paragraph is an extract from the American Legion Weekly.)

I take this occasion of inviting you and each member of the Senate to take a part in the Memorial Day exercises to be held at the cemetery at 5:30 o'clock Memorial Day. Our exercises will be short and simple, but will carry and renew that assurance of the memory of love and honor that we hold for the "Buddie" who has gone to his reward. Some of you perhaps have loved ones that suffered in the late war, and you no doubt would take an opportunity of taking a part in such exercises if you were in your home town. Therefore, I extend to you this invitation

to gather with us in memory of the fallen dead.

Sincerely yours,
EUGENE SAUNDERS,
Post Adjutant, Travis Post No. 76,
Austin, Texas.

On motion of Senator Witt, the invitation was accepted.

Message from the Governor.

Governor's Office,
Austin, Texas, May 28, 1923.
To the Members of the Thirty-eighth Legislature, Third Called Session.
Gentlemen: Those who essay the task of raising the revenue and of spending the money necessary for the economic administration of a government of five million people assume a grave responsibility. This responsibility was accepted by the individuals who compose the present legislative body. In assuming the duties of your office, under the Constitution of the State, you took upon yourselves the task of providing the money and appropriating same to the support of the State Government and the maintenance of her institutions. Our Constitution does not confer upon the Governor the power either to levy taxes or to make appropriations, this being solely a legislative function.

Upon the adjournment of the Second Called Session of the Thirty-eighth Legislature it was estimated that there had been appropriated approximately eight million dollars more money than the estimated income of the State. In view of this wide discrepancy I had a constitutional duty to perform, and, therefore reconvened you in special session in order that you might adjust the wide difference either by providing additional revenue or by reducing the appropriations made. The Third Called Session of the Legislature has now been in session thirteen days, and so far no material progress has been made in adjusting this discrepancy.

I trust it will not be deemed improper for me to advise you that unless some decisive, meaningful action is taken within the next day or two to harmonize the authorized appropriations with the estimated available revenue, I shall consider it my

duty to veto the appropriation bills now on my desk.

Yours sincerely,
PAT M. NEFF,
Governor.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, May 28, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed

H. C. R. No. 6, Relating to the teaching of evolution in the tax supported schools of the State.

H. B. No. 2, A bill to be entitled "An Act to amend Articles 7369, 7371, 7372, 7273, 7378 and 7382 of Chapter 2, Title 126, of the Revised Civil Statutes of Texas, 1911, relative to the levying of occupation taxes upon individuals, companies, corporations and associations pursuing any of the occupations, that is, viz: express companies, gas, electric light, power or waterworks, collecting or commission agencies, car companies, interurban and electric railway companies and telephone companies; providing for an increase of the gross receipts tax to be paid by said companies; providing for a new article to be numbered 7383b, to provide that each company subject to the provisions of this chapter shall cause to be made and to be kept and preserved, a full and complete record of all business, and said record shall be open to the inspection of all tax officers of the State; and also providing further, that any company subject to the provisions of the Intangible Tax Law as set out in Chapter 4, Title 126, of the Revised Statutes of 1911, and all amendments thereto, and are complying with the provisions of said law, shall not be subject to the provisions of this chapter, and declaring an emergency."

Has amended

H. B. No. 40, A bill to be entitled "An Act levying an occupation tax on persons, firms or corporations engaged in the occupation of maintaining billboards; defining the term billboard, maintaining billboards; and providing that the occupation tax so levied shall be three cents per square

foot," by striking out the enacting clause.

Respectfully submitted,
C. L. PHINNEY,
Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair (Lieutenant Governor Davidson) had referred, after their captions had been read, the following House bills:

H. B. No. 2, to the Committee on State Affairs.

H. C. R. No. 6, to the Committee on Educational Affairs.

Resolution Signed.

The Chair (Lieutenant Governor Davidson) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution:

S. C. R. No. 3.

Adjournment.

On motion of Senator Clark, the Senate at 5:25 p. m. adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

Petitions and Memorials.

The Chair (Lieutenant Governor Davidson) offered and had read a telegram, signed by former Senator R. M. Dudley, protesting against the repeal of the reclamation act, passed at the Regular Session.

Also a petition signed by R. L. Robinson, of Legislative committee, Farm Labor Union of America, stating he represented 100,000 dirt farmers, urging a 3% gross production tax and a 5% tax on crude oil.

Senator Clark offered and had read a petition from Yoakum protesting against any increase in tax legislation, and urging that appropriations be cut to conform with available revenue.

Also a petition from Wallis, asking that sufficient appropriation be made for the schools, and that natural resources be taxed to increase the revenue available for the school fund.

Committee Reports.

Senate Chamber,
Austin, Texas, May 29, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 11 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, May 28, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, a majority of your Committee on State Affairs, to whom was referred

H. B. No. 1, A bill to be entitled "An Act to amend Article 7374 of the Revised Civil Statutes of 1911, levying and providing for the payment of an occupation tax on all persons, firms, companies, corporations, common law trusts, associations operating under a declaration of trust or any other association or concern, of whatever name known, or howsoever organized, formed or created, owning, managing, or operating any pipe line or pipe lines within this State, based upon gross receipts derived from business done within this State in intrastate commerce, and declaring an emergency,"

Have had the same under consideration, and beg to report same back to the Senate with recommendation that it do not pass.

WITT Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, May 28, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, a minority of your Committee on State Affairs, to whom was referred H. B. No. 1, have had same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

WOOD,
CLARK.

(Majority Report.)

Committee Room,
Austin, Texas, May 28, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, a majority of your Com-

mittee on State Affairs, to whom was referred

H. B. No. 9, A bill to be entitled "An Act levying and providing for the payment of a State occupation tax on the mining or production of sulphur."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that the attached committee substitute do pass.

WITT, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, May 28, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, a minority of your Committee on State Affairs, to whom was referred H. B. No. 9, have had same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, with amendment reducing tax to 2%.

DAVIS.
DARWIN,
WITT.

Committee Room,
Austin, Texas, May 29, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 3, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them as follows, to-wit: University of Texas, including the Medical Branch at Galveston, and the College of Mines and Metallurgy at El Paso, Agricultural and Mechanical College, State Experimental Stations, Prairie View Normal and Industrial College, John Tarleton Agricultural College, Grubbs Vocational College, hereafter to be known as the North Texas Junior Agricultural College, College of Industrial Arts, Texas Technological College, Sam Houston State Teachers College at Huntsville, Southwest Texas State Teachers College at San Marcos, North Texas State Teachers College at Denton, West Texas State Teachers College at Canyon, East Texas State Teachers College at Com-

merce, Sul Ross State Teachers College at Alpine, Stephen F. Austin State Teachers College at Nacogdoches, South Texas State Teachers College at Kingsville, Texas School for the Blind, and Texas School for the Deaf, for the years beginning September 1, 1923, and ending August 31, 1925, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with amendments, and be not printed.

WOOD, Chairman.

Committee Amendments to S. B.
No. 3.

Section 1. That all fees and the following sums of money or as much thereof as may be necessary, be and the same are hereby appropriated to pay the salaries of officers and employees and other expenses necessary for the support and maintenance of certain educational institutions of the State, to-wit:

UNIVERSITY OF TEXAS.

For the maintenance, support and direction of the University of Texas, including the Medical Branch at Gal-

veston, and the College of Mines and Metallurgy at El Paso, including construction of buildings for the years beginning September 1, 1923, and ending August 31, 1925, all the available University funds, including interest from its bonds, land notes, donations, gifts, and all receipts whatsoever from any source, provided, that all available University funds, fees excepted, shall be used for buildings, permanent equipment, improvements and repairs.

For the maintenance, support and direction of the University of Texas, including the Medical Branch at Galveston, and the College of Mines and Metallurgy at El Paso, for two years, beginning September 1, 1923, and ending August 31, 1925, from the general revenue; provided that one warrant may be issued by the State Comptroller to cover signed monthly pay-roll; and for bills embracing charges against the several items herein, and with such changes and substitutions within the totals of the following groups for the University of Texas, including the Medical Branch at Galveston, and the College of Mines and Metallurgy at El Paso, as the Board of Regents may deem necessary.

Main University.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$1,025,000.00	\$1,025,000.00
Departments and laboratories	54,000.00	54,000.00
Current expenses	112,500.00	112,500.00
Bureau of Economic Geology and Technology	17,100.00	17,100.00
Bureau of Extension	10,800.00	10,800.00
	<u>\$1,219,400.00</u>	<u>\$1,219,400.00</u>

Medical Branch.

Total salaries	\$ 123,500.00	\$ 123,500.00
Departments and laboratories	16,200.00	16,200.00
Current expenses	9,000.00	9,000.00
	<u>\$ 148,700.00</u>	<u>\$ 148,700.00</u>

College of Mines.

Total salaries	\$ 32,500.00	\$ 32,500.00
Departments and laboratories	5,000.00	5,000.00
Current expenses	6,300.00	6,300.00
	<u>\$ 43,800.00</u>	<u>\$ 43,800.00</u>

Grand total for the University of Texas
and its branches \$1,411,900.00 \$1,411,900.00

To pay Miss Lavinia Harvill, assistant in the
library in the University of Texas, and we
recommend that she be retained for life.. \$ 1,000.00 \$ 1,000.00

Provided that any of the money herein appropriated which may be used for printing and binding is hereby authorized to be used to reimburse the University Press for any printing or binding done for the University and its branches and those having control of any such appropriations are authorized to have the printing and binding done by the University Press.

AGRICULTURAL AND MECHANICAL COLLEGE.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 450,000.00	\$ 450,000.00
Administrative and departmental maintenance	95,400.00	95,400.00
Miscellaneous departments	126,000.00	126,000.00
Anti-hog cholera serum	10,250.00	10,250.00
Repairs and Improvements:		
For general repairs and remodeling of all buildings	23,500.00	23,500.00
Outside improvements, including drives, fences, shade trees and grading	3,150.00	3,150.00
Maintenance and equipment of zoological grounds	720.00	720.00
Extension of mains and plumbing	7,200.00	7,200.00
Poultry husbandry building and equipment		9,000.00
Concrete curbs, sidewalks and drives	2,700.00	2,700.00
Machinery and steam plant, including boiler, feed pump, water meter, oil pump and oil storage tanks	6,750.00	
To repair and remodel old agricultural building	13,500.00	
Air compressor	13,500.00	
Total repairs and improvements	\$ 69,020.00	\$ 45,270.00

STATE DEPARTMENT OF FORESTRY.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 5,580.00	\$ 5,580.00
Maintenance and miscellaneous items	1,980.00	1,530.00
Agents and patrol men in forest fire protection and for administering of forestry laws in co-operation with the Federal Government and counties	9,750.00	9,750.00
Service, material, equipment and expenses for tree planting and culture, including co-operative wind-break grove planting and wood lot improvement	200.00	200.00
Traveling expenses of State forester and assistants	1,800.00	1,800.00
Traveling expenses of agents and patrolmen in forest protection work	1,080.00	1,080.00
For the purchase of five thousand acres of land to demonstrate the re-forestation of pine timber in East Texas, same to be purchased by a board of three, composed of the Commissioner of the General Land Office, the President of the Agricultural and Mechanical College, and the State Forester; provided that no more than three sections of land shall be located in one county, and provided further, that the land to be purchased shall not exceed six (\$6.00) dollars per acre	15,000.00	15,000.00
Grand total for Department of Forestry	\$ 42,390.00	\$ 41,940.00

EXTENSION SERVICE.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 228,526.40	\$ 228,526.40
Expenses of Extension Service	22,800.00	22,800.00
Grand total for Extention Service	\$ 251,326.40	\$ 251,326.40

TEXAS AGRICULTURAL EXPERIMENT STATIONS SYSTEM.

Main System.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 57,600.00	\$ 57,600.00
General expenses	63,900.00	58,500.00
Beekeeping	6,390.00	6,390.00
Total Main Station	\$ 127,890.00	\$ 122,490.00

SUBSTATIONS.

No. 1—Beeville.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries, labor, fencing, support and maintenance	\$ 5,310.00	\$ 5,310.00

No. 2—Troup.

For salaries, equipment, repairs, support and maintenance	4,140.00	3,870.00
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No. 3—Angleton.

For salaries, equipment, repairs, support and maintenance	4,320.00	3,960.00
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No. 4—Beaumont.

For salaries, equipment, support and maintenance	6,300.00	6,300.00
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No. 5—Temple.

For salaries, investigations, materials, labor, support and maintenance	4,230.00	4,230.00
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No. 6—Denton.

For salaries, seed house and grain room, storm cellar, laborer's cottage, fences, foundation flock of sheep, including sheds, support and maintenance	5,850.00	4,860.00
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No. 7—Spur (Agronomy).

Salaries, completion of workshop and installation of blacksmithing outfit and line shaft, underground cistern, extension of water system, work mules, wagon and set of harness, support and maintenance	4,050.00	4,050.00
Sheep Breeding and Feeding:		
For feeding and breeding investigations, concrete water troughs, extension of water system, fence repairing, food grinder, tools, labor, support and maintenance	3,982.50	1,980.00

No. 8—Lubbock.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Salary, wages, labor, completion of barn, support and maintenance.....	5,850.00	4,950.00

No. 9—Balmorhea.

For salaries, to purchase two hundred acres of land at fifty (\$50.00) dollars per acre, for support and maintenance.....	13,500.00	4,320.00
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No. 10—Agricultural and Mechanical College.

Feeding and Breeding—General Farm:		
Salaries, extension and improvement of water system, sewer system, clearing land, fencing, support and maintenance.....	9,990.00	8,190.00
Swine Feeding and Breeding Investigations:		
Silos, barns, refrigeration machinery, addition to dairy laboratory and milk house, support and maintenance.....	3,510.00	990.00

No. 11—Nacogdoches.

Salary of Superintendent, support and maintenance.....	3,870.00	3,870.00
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No. 12—Chillicothe.

Salary of Superintendent, support and maintenance.....	3,690.00	3,690.00
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No. 14—Sonora.

Angora Goat and Sheep:		
Salaries, operating room and equipment, cistern and gutters, cottage for veterinarian, support and maintenance.....	11,808.00	10,683.00

No. 15—Lower Rio Grande.

For salaries, support and maintenance.....	4,500.00	4,500.00
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No. 16—Wichita Falls.

Salaries, support and maintenance to be used under the direction of the director.....	6,750.00	6,750.00
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Total for Substations.....	\$ 104,800.50	\$ 85,933.00
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Grand total Main and all Substations..	\$ 232,890.50	\$ 208,413.00
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PRAIRIE VIEW STATE NORMAL AND INDUSTRIAL COLLEGE.
(Prairie View.)

For the maintenance, support and direction of the Prairie View State Normal and Industrial College, including the construction of buildings and equipment for the years beginning September 1, 1923, and ending August 31, 1925, including interest on its bonds and all receipts whatsoever from any source.

Provided, no changes or substitutions shall be made in items for permanent improvements.

For the years ending August 31, 1924, and August 31, 1925, the total sums of \$....., each year; said amounts so appropriated to be supplemented by the Morrell Fund of \$..... for each of said years, making a total of \$..... for each of said years, to be applied

to the payment of salaries as hereinafter set forth; provided that nothing herein shall prevent or affect the application of the said Morrell Fund to the purposes for which it was created, and the directors of the said Prairie View State Normal and Industrial College shall apply the said Morrell Fund upon the salary items hereinafter stated, to which, under the terms of the Act creating said fund, it may be properly applied, and the payment of salaries to which the said Morrell Fund may be applied shall be in satisfaction pro tanto of such salaries as herein fixed.

PRAIRIE VIEW NORMAL AND INDUSTRIAL COLLEGE.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 90,000.00	\$ 90,000.00
Departmental maintenance	29,250.00	29,250.00
Miscellaneous items	31,500.00	31,450.00
Repairs and Improvements:		
Extension of steam heat, plumbing and lighting lines and repairs of same	2,700.00	2,700.00
Sewage disposal plant		7,200.00
For general repairs and painting	5,400.00	3,600.00
Roads and bridges	450.00	450.00
Ice, storage bin	900.00	
Cottages for teachers, two each year	2,250.00	2,250.00
Air compressor and repairs	3,600.00	900.00
Fire protection	450.00	450.00
Concrete sidewalks, curbs and gutters	450.00	450.00
For training school building to match like sum for Rosenwald Fund		2,700.00
Veterinary hospital		9,000.00
To construct fuel oil pipe line to railroad station and to purchase and install pump, build reservoir and equip boilers for oil burning	9,000.00	450.00
Grand total for Prairie View Normal and Industrial College	\$ 175,950.00	\$ 180,450.00

JOHN TARLETON AGRICULTURAL COLLEGE.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 112,500.00	\$ 112,500.00
General and departmental maintenance	21,000.00	21,000.00
Miscellaneous items	18,900.00	18,900.00
Summer school and farmer's short course	5,400.00	5,400.00
Repairs and Improvements:		
General repairs	6,300.00	6,300.00
Extension of mains, water and light lines, rewiring and for additional radiation and fittings	5,400.00	1,800.00
Cook's quarters	1,800.00	
Repairs to farm houses, land betterment and fencing	450.00	450.00
Two silos	540.00	540.00
One 500-bird poultry house with equipment		675.00
Pecan orchard, including clearing and preparing land	450.00	450.00
Equipment for laboratories, furniture, filing cabinets, desks, comptometers, typewriters, job press, paper cutting machine, type cases, general departmental equipment and supplies	6,300.00	3,150.00
Steam line covering	4,500.00	

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Campus improvements and care of grounds..\$	900.00	\$ 450.00
Smoke stack for heating plant.....	4,500.00	
Emergency boiler	4,500.00	

Grand total for John Tarleton Agricultural College\$ 191,340.00 \$ 169,515.00

NORTH TEXAS JUNIOR AGRICULTURAL COLLEGE.
(Arlington.)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 83,700.00	\$ 83,700.00
Administration and general maintenance....	16,200.00	11,700.00
Miscellaneous items	12,150.00	12,060.00
Repairs and Improvements:		
Addition to boiler house and one 100-horse power boiler and mains.....		9,000.00
Campus grounds, including grading, terracing, trees, shrubbery, lamp posts, curbs, gutters and walks	1,800.00	1,800.00
Repairs and painting and for extension of mains and lines.....	4,500.00	2,700.00
Silo		540.00
Poultry plant and North Texas egg laying contest	540.00	540.00
Drill grounds and athletic field and improvements	900.00	900.00
To purchase land for poultry and dairy farm not to exceed.....		5,400.00

Grand total for North Texas Junior Agricultural College\$ 119,790.00 \$ 128,340.00

COLLEGE OF INDUSTRIAL ARTS.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 259,200.00	\$ 259,200.00
Administration and departmental maintenance, including Extension Service.....	31,500.00	31,500.00
Departmental laboratories, furniture, equipment, supplies, for the Registrar's office, vocational linotype and printing, laboratory equipment and repairs and for general repairs	13,500.00	13,600.00

Grand total for College of Industrial Arts \$ 304,200.00 \$ 303,300.00

TEXAS TECHNOLOGICAL COLLEGE.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
To pay salaries of administrative force, including a President, who shall supervise the construction and look after all business needs and interests of the College, per diem and expenses of members of the board of directors, and for traveling and other expenses	\$ 22,500.00	\$ 22,500.00

SAM HOUSTON STATE TEACHERS COLLEGE.
(At Huntsville.)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 159,021.00	\$ 159,021.00
Departmental maintenance	26,284.50	26,284.50
Miscellaneous items	13,905.00	11,565.00
Repairs and Improvements:		
For general repairs, repainting buildings, surfacing driveways inside College grounds, upkeep of ground, to purchase additional ground for athletic field and campus.	15,300.00	4,500.00
Grand total	\$ 214,510.50	\$ 201,370.50

SOUTHWEST TEXAS STATE TEACHERS COLLEGE.
(At San Marcos.)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 171,000.00	\$ 171,000.00
Departmental maintenance	21,267.00	22,401.00
Miscellaneous items	18,000.00	11,250.00
Repairs and Improvements:		
For improvement of grounds, to purchase additional grounds and improvements, cafeteria equipment and furnishing, for general repairs, fire apparatus and repairs to same, and for steam plant addition.	38,700.00	4,950.00
Grand total	\$ 248,967.00	\$ 209,601.00

EAST TEXAS STATE TEACHERS COLLEGE.
(At Commerce.)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 177,400.00	\$ 177,400.00
General and departmental maintenance.	15,300.00	15,300.00
Miscellaneous items	10,800.00	8,550.00
Repairs and Improvements:		
Repairs of buildings, upkeep of grounds, State's share of paving, plumbing, painting, and for general repairs.	3,600.00	5,400.00
Combination administration, education and auditorium building	250,000.00	
Grand total	\$ 457,100.00	\$ 196,650.00

SUL ROSS STATE TEACHERS COLLEGE.
(At Alpine.)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 67,500.00	\$ 67,500.00
Departmental maintenance	3,330.00	2,790.00
Miscellaneous items	11,250.00	10,800.00
Repairs and Improvements:		
To purchase athletic field and improve same, grading, terracing, cement work, fence for College, for well, tank, pump and equipment, and for general repairs.	9,000.00	2,250.00
Grand total	\$ 91,080.00	\$ 83,340.00

NORTH TEXAS STATE TEACHERS COLLEGE.
(At Denton.)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 237,001.50	\$ 237,001.50
Departmental maintenance	15,300.00	16,200.00
Miscellaneous items	13,900.00	13,900.00
By re-appropriating the unexpended balance of amount appropriated by the Thirty- seventh Legislature for curbs, gutters and paving State's property	11,035.80	
Grand total	\$ 277,187.30	\$ 267,151.50

WEST TEXAS STATE TEACHERS COLLEGE.
(At Canyon)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 158,553.00	\$ 158,553.00
Departmental maintenance	20,250.00	18,000.00
Miscellaneous items	12,465.00	11,925.00
Repairs and Improvements: Repairs, improvements and equipment, includ- ing upkeep of buildings and grounds, to purchase 50-horse power engine and equip- ment and housing for same, pumps, elec- trical equipment, steel filing cases, paving State's share of streets on and adjacent to campus, office supplies and equipment, library and paintings	25,200.00	5,850.00
Grand total	\$ 216,468.00	\$ 194,328.00

STEPHEN F. AUSTIN STATE TEACHERS COLLEGE.
(At Nacogdoches)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 85,500.00	\$ 90,000.00
Departmental maintenance and miscellaneous items	36,000.00	10,800.00
Grand total	\$ 121,500.00	\$ 100,800.00

SOUTH TEXAS STATE TEACHERS COLLEGE.
(At Kingsville.)

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries	\$ 1,012.50	\$ 4,050.00
To construct and equip Superintendent's home	9,000.00	
For the construction and equipment of an administration building, power plant, and for the purpose of outside improvement of grounds, grading, terracing, cement work, and beautifying grounds		300,000.00
Grand total	\$ 10,012.50	\$ 304,050.00

TEXAS SCHOOL FOR THE BLIND.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
Total salaries, general maintenance, repairs, improvements and equipment, and for all purposes found necessary by the Board of Control	\$ 133,200.00	\$ 108,000.00

TEXAS SCHOOL FOR THE DEAF.

For the years ending
Aug. 31, 1924 Aug. 31, 1925

Total salaries, general maintenance, repairs, improvements and equipment, and for all purposes found necessary by the Board of Control \$ 189,900.00 \$ 176,400.00

The appropriations herein provided for are to be construed as the maximum sums to be appropriated for the purposes named herein, and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for the several purposes.

And provided further, that the governing body of the institutions provided for herein shall cause to be submitted to the next Legislature an itemized statement showing the exact salaries paid, the number of people employed, the length of service performed, and the character of such service, together with an itemized statement of all other expenditures incurred and paid out of the foregoing appropriations.

Provided that no item in this appropriation shall be used for traveling expenses outside of the State except upon the approval of the governing board for the particular institution.

Provided that there shall be an annual audit made showing all receipts and expenditures itemized, of the various schools provided for in this bill, one copy of which shall be filed on or before the first day of November of each year, with the Governor of the State; provided that the biennial report of the governing board of the several institutions shall contain a financial statement which shall contain the number of instructors and employees of the particular school and the salary received by each.

And no property belonging to any of said institutions shall be disposed of without the consent of the governing board of said institution; all proceeds from the sale of any such property and from labor performed shall be paid into the State Treasury and become a part of the General Fund.

Provided further that a report shall be made annually by each of said institutions and filed with the

Comptroller giving an itemized statement of all moneys paid out and showing what particular fund said money was taken from, also showing the full amount of money taken in from all sources during the term. Said report shall show what disposition was made of such fund or funds, and if any surplus remains on hand at the end of any school year, it shall be so stated in said report.

Provided further that no person shall be employed in the Extension Service Administration who has not first stood a satisfactory examination before the faculty of the A. & M. College of Texas, or a committee of not less than five, selected from the said faculty by the President of the said A. & M. College. Said examination shall be conducted at such time and places as shall be decided upon by the faculty or the committee herein provided for.

Provided that the interest of all securities held by the Texas School for the Blind is hereby appropriated in part payment of the appropriations for the Texas School for the Blind, and the remainder of the appropriations to be paid out of the General Revenue of the State.

Provided further that the head of the various institutions provided for herein shall keep a record of the absences of the various employees, and the reasons therefor, whether from sickness, vacation or leave of absence, and that the record of such absences be incorporated in the report made annually by said institution.

Provided further that all contracts and undertakings entered into under and by virtue of the terms hereof for repairs, improvements, or new buildings, and for furnishing and equipping of buildings for the several institutions hereinbefore provided for, shall be made strictly within the limits and terms of the appropriations made for such purposes. And it shall be the duty of the managers and di-

rectors of the various institutions in the consideration and adoption of plans, specifications and contracts therefor, not to exceed such appropriations nor to incur any obligation in excess therefor.

Provided that the interest on all securities held by the Deaf and Dumb Institution is herein appropriated in part payment of the appropriations for the Deaf & Dumb Institute; the remainder of the appropriations to be paid out of the General Revenue.

Provided further that the governing board of the several institutions hereinbefore provided for shall authorize and supervise the expenditure of the money for the particular institution, and no money herein appropriated shall be spent for any purpose whatsoever unless it is specifically authorized by said governing board, and said governing board is held strictly accountable to

the Legislature for the spending of the appropriations herein made, wisely, economically and for the best interests of the institution and the State.

Sec. 2. The fact that the regular session of the Thirty-eighth Legislature adjourned without passing the General Appropriation bill, and the further fact that public policy requires that proper provision be made for the support and maintenance of all state institutions and departments with as little delay as possible, and this bill, being one of the regular appropriation bills, and the near approach of the date of adjournment of this Special Session, creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

RECAPITULATION.

	For the years ending	
	Aug. 31, 1924	Aug. 31, 1925
University and its branches.....	\$1,411,900.00	\$1,411,900.00
Agricultural and Mechanical College.....	740,670.00	716,920.00
State Department of Forestry.....	42,390.00	41,940.00
Extension Service.....	251,321.40	251,326.40
Texas Agricultural Experimental Stations System, Main and Substations.....	232,890.50	208,413.00
Prairie View Normal and Industrial College..	175,950.00	180,450.00
John Tarleton Agricultural College.....	191,340.00	169,515.00
North Texas Junior Agricultural College....	119,790.00	128,340.00
College of Industrial Arts.....	304,200.00	303,300.00
Texas Technological College.....	22,500.00	22,500.00
Sam Houston State Teachers College.....	214,510.50	201,370.50
Southwest Texas State Teachers College....	248,967.00	209,601.00
North Texas State Teachers College.....	277,187.30	267,151.50
West Texas State Teachers College.....	216,468.00	194,328.00
East Texas State Teachers College.....	457,100.00	196,650.00
Sul Ross State Teachers College.....	91,080.00	83,340.00
Stephen F. Austin State Teachers College...	121,500.00	100,800.00
South Texas State Teachers College.....	10,012.50	304,050.00
Texas School for the Blind.....	133,200.00	108,000.00
Texas School for the Deaf.....	189,900.00	176,400.00
Grand total educational bill.....	\$5,452,882.20	\$5,276,295.40
Total, both years.....	\$10,729,177.60	

(Majority Report.)

Committee Room,
Austin, Texas, May 29, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, your Committee on Finance,
to whom was referred

S. B. No. 8, A bill to be entitled
"An Act to appropriate six million

dollars (\$6,000,000.00) out of the
general funds of the State to aid all
the public schools for the scholastic
years beginning September 1st, 1923,
and September 1st, 1924, and ending
August 31st, 1924 and August 31st,
1925, respectively, the same to be
distributed as the available school
funds are now distributed."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be not printed.

WOOD, Chairman.

Committee Amendment to S. B. No. 8.

Amend S. B. No. 8 by striking out the words and figures "six million dollars (\$6,000,000.00)" in the caption and body of the bill wherever it appears and insert in lieu thereof the words and figures "four million dollars (\$4,000,000.00)".

By striking out of said bill, the words and figures "three million dollars (\$3,000,000.00)" wherever they appear and insert in lieu thereof the words and figures "two million dollars (2,000,000.00)".

(Majority Report.)

Committee Room,

Austin, Texas, May 29, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 7, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and those of small towns, of aiding the people to provide adequate school facilities for the education of their children, by the appropriation of two million dollars per year, or so much thereof as may be necessary, for the next two fiscal years, ending August 31, 1924, and August 31, 1925, respectively, allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with the conditions herein specified; providing how such schools shall be located, and school buildings constructed, furnished, and maintained; providing certain prerequisites for the granting of such aid, and providing no school having over five hundred scholastics shall receive such aid, giving preference to all school districts in which the available school fund together with the local district tax will not maintain the school six months in the year; limiting the amount which any school may receive; providing for aid for schools where extraordinary conditions prevent schools from meeting

stated requirements; providing assistance for such rural schools as will afford instruction and demonstration in home and farm vocations, according to plans approved by the State Department of Education; providing assistance for small districts which effect consolidation during the next two fiscal years; providing for the expenses of administration by action of the State Board of Education; providing for reports to be made to the State Superintendent of Public Instruction and to the State Board of Education; providing for the manner of payment and disbursement of all money granted under the provisions of this Act; repealing all laws and parts of laws in conflict herewith."

Have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and that it be not printed.

WOOD, Chairman.

Committee Amendments to S. B. No. 7.

(1)

Amend S. B. No. 7 by striking out the words and figures "two million dollars (\$2,000,000.00)" wherever they appear in the caption and in the bill and insert in lieu thereof, the words and figures "one million dollars (\$1,000,000.00)"

(2)

Amend S. B. No. 7 by striking out the first paragraph of Section 5 and insert in lieu thereof the following:

"Section 5. In case of extraordinary and unusual conditions, where it can be shown that its own resources are insufficient, the State Board of Education may arrange for the support of a rural school from State Aid Funds for a period not exceeding six months even though the school district be unable to comply with the foregoing conditions provided, however, that the amount of the tax herein provided for must be voted by the patrons of said school district and cannot be waived by the State Board of Education and, provided further, that the amount granted in no case shall exceed \$300.00."

(See minority report on page 61.)

Committee Room,
Austin, Texas, May 29, 1923.
Hon. T. W. Davidson, President of the
Senate.

Sir: We, your Committee on
Finance, to whom was referred

S. B. No. 12, A bill to be entitled
"An Act amending the Act passed by
the Thirty-eighth Legislature at its
Regular Session, approved January 31,
1923, the same being H. B. No. 17,
entitled 'An Act requiring the Board of
Water Engineers and the State Rec-
lamation Engineer, in conformity to
the statutes determining their powers
and duties, to make, cause to be made,
and report to the Governor, an ade-
quate topographic and hydrographic
survey of the stream watersheds of the
State, to the end that flood control,
water conservation and economic
utilization in reclamation development
may be made practicable, advancing
all such work as found feasible in ac-
cordance with the relative importance
to the public welfare; directing the
order in which said surveys and re-
ports shall be made; providing for an
appropriation to carry out the pro-
visions of this Act, and declaring an
emergency,' amending said bill so as to
reduce the appropriation therein
made; and declaring an emergency,"

Have had the same under considera-
tion and I am instructed to report it
back to the Senate with the recom-
mendation that it do not pass, but
the committee substitute in lieu
thereof do pass and be not printed.

WOOD, Chairman.

NINTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, May 30, 1923.

The Senate met at 10 o'clock a. m.,
pursuant to adjournment, and was
called to order by President Pro Tem
H. L. Lewis.

The roll was called, a quorum be-
ing present, the following Senators
answering to their names:

Bailey.	Murphy.
Baugh.	Rice.
Bledsoe.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

Absent—Excused.

Bowers.	Parr.
Fairchild.	Pollard.

Prayer by the Chaplain.

Pending the reading of the Jour-
nal of yesterday, the same was dis-
pensed with on motion of Senator
Watts.

(See Appendix for committee re-
ports, petitions and memorials.)

Bills on First Reading.

The following bills, introduced to-
day, were read first time and referred
to appropriate committees as follows:

By Senator Murphy:

S. B. No. 16, A bill to be entitled
"An Act granting permission to Dan
A. Japhet to bring suit against the
Board of Prison Commissioners of
the State of Texas, in the district
court of Harris County, Texas, for
the purpose of clearing the title and
perfecting the same in himself, to
that certain tract of land lying partly
in Harris and partly in Liberty
County, Texas, known as the Koker-
not League, against which the Board
of Prison Commissioners has a lien
to secure a judgment in the sum of
seven hundred eighty-six and 35/100
dollars (\$786.35), with interest at
the rate of six per cent from Septem-
ber 6, 1921, which judgment was
recovered by the Board of Prison
Commissioners of the State of Texas,
in a suit against James E. Fergu-
son, in the county court of Walker
County, Texas, which lien was ac-
quired by the abstracting and re-
cording of said judgment in the ab-
stract of judgment records in Lib-
erty County, Texas, and which lien
is alleged by Dan A. Japhet to be